

State of South Dakota

EIGHTY-THIRD SESSION LEGISLATIVE ASSEMBLY, 2008

488P0745

SENATE CONCURRENT RESOLUTION NO. 4

Introduced by: Senators Olson (Ed) and Napoli and Representatives Heineman, Carson, Cutler, Dennert, Gillespie, Glenski, Haverly, Hills, Noem, Novstrup (David), Olson (Russell), Pitts, Rausch, and Wick

1 A CONCURRENT RESOLUTION, Urging the United State Congress to remove Section 132
2 from the College Opportunity and Affordability Act of 2007 before its final passage.

3 WHEREAS, the Maintenance of Effort provision in Section 132 of the College Opportunity
4 and Affordability Act of 2007 now before the United States House of Representatives would
5 punish states for not maintaining or increasing higher education funding appropriations; and

6 WHEREAS, this would place the federal government in charge of determining if state
7 legislatures and governors have adequately funded higher education; and

8 WHEREAS, this mandate in higher education would set a dangerous precedent for federal
9 intrusion into state policy and appropriations authority; and

10 WHEREAS, state legislators are also concerned with the rising cost of higher education and
11 are committed to making higher education affordable for all citizens; and

12 WHEREAS, state budgeting decisions should be made by state officials, not the United
13 States Secretary of Education:

14 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Eighty-Third Legislature



1 of the State of South Dakota, the House of Representatives concurring therein, that Congress
2 be urged to strike Section 132 from the College Opportunity and Affordability Act of 2007
3 before sending the final bill to the President of the United States to sign into law.